

**DECISION NOTICE
And
FINDING OF NO SIGNIFICANT IMPACT**

**BONNEVILLE QUARRIES, INC. DOVE CREEK QUARRY EXPANSION PROJECT
USDA, Forest Service
Minidoka Ranger District, Sawtooth National Forest
Box Elder County, Utah
T13N, R16W, Sections 12, 13, 14 Salt Lake City Base Meridian**

Decision and Reasons for the Decision

Background

The purpose of this project is for locatable mineral (Oakley Stone) development under 36 CFR 228A following the Forest-wide Management Direction (MIGO01) for Mineral and Geology Resources in the Sawtooth Land and Resource Management Plan (July 2003) to "facilitate orderly and environmentally sound exploration, development, and production of mineral and energy resources." The analysis area falls with Management Area 18 (Raft River Range) for Shrubland and Grassland Landscapes. This action is consistent with both Forest-wide and Management area goals and objectives outlined in the Forest Plan. The environmental assessment (EA) documents the analysis of 3 alternatives to meet this need.

Decision

Based upon my review of the alternatives, I have decided to implement Alternative 3- the proposed action with vehicle restrictions, as described in the EA on pages 2-1 and 2-2.

Satellite quarry development, concurrent reclamation of quarries and their access roads, new road construction and existing road maintenance, mitigation and design criteria would be implemented as described in pages 2-1 to 2-6 of the EA. The following table displays specific items to be implemented.

Item	Approximate Disturbance	Description
Vertical Cloud Quarry Development	1.42 acres	Quarry development with waste rock storage area and topsoil salvage piles
Sunshine East Quarry Development	3.18 acres	Quarry development with waste rock storage area and topsoil salvage piles
Upper Quarry Reclamation	0.73 acres	Quarry and access road reclamation
Dads Dream Quarry Reclamation	1.6 acres	Quarry and access road reclamation
West Quarry Reclamation	Up to 2.74 acres	Phased quarry and access road reclamation
Assumption of Reclamation Responsibility for Existing Interstate Access Road	5365 linear feet	Assumes reclamation responsibility for unauthorized Interstate Quarry Road constructed in 2000
Sunshine East Access Road Reopening	650 linear feet	Reopen road previously reclaimed in 2000
New Road Construction	1225 linear feet	New Road Construction
Existing 2-track Road Upgrade	225 linear feet	Upgrade existing 2-track road

Two new quarries would be developed, the Vertical Cloud and the Sunshine East Quarries. An existing unauthorized mining road constructed by Interstate Stone in 2000 will be taken over by Bonneville Quarries, Inc. and other road work including construction of new road and the upgrading of existing 2-track would occur. Concurrent reclamation of the Upper, Dad's Dream, and West Quarries would also occur. At the end of the mine project, all access roads would be reclaimed. The Main and Vertical Cloud Quarry would be completely recontoured with waste rock. The Sunshine East may not be completely recontoured because of the possibility that there may not be enough waste rock generated to fill in the quarry face. The operator would be required to submit an additional reclamation bond to cover new disturbance outside of the existing bonded disturbance.

Rational for decision

I selected Alternative 3 because it best meets the purpose and need for the project. It allows quarry development in the analysis area.

The table below displays the project and how the alternatives compare in moving the analysis area towards project completion.

FS Disturbance

	Proposed Action Alternative 1	Alternative 2 Current Condition - No Action Alternative	Alternative 3 Proposed Action With Travel Restrictions
Total Disturbance FS	17.82 acres	10.5 acres	17.82 acres
Roads	3.44 linear miles	2 linear miles	3.44 linear miles
Quarry Acres	13.12	8.52 acres	13.12
Concurrent Reclamation	10 acres	0 acres	10 acres
Haul Trips From Main Quarry/Day	2.1	1	2.1
Max. Haul Trips From Vert. Cloud and Sunshine East Per Day May-June	2.1	0	1
Max. Haul Trips From Vert. Cloud and Sunshine East Per Day July to End of Season	2.1	0	2.1

Other Alternatives Considered

In addition to the selected alternative, I considered two other alternatives, the Proposed Action and the No Action Alternative. Under the No Action Alternative, the operator would be restricted to operations within currently disturbed areas. Because of the mining regulations, the No Action Alternative is not a viable alternative. The selected alternative differed from the Proposed Action only by the haul truck travel restriction within the Upper Dove Creek Restricted Off Road Area as defined in the Box Elder County Ordinance 222. A comparison of the alternatives can be found in the EA on pages 2-2.

Public Involvement

As described in the environmental assessment, the need for this action arose originally with the submission of a plan of operations by Bonneville Quarries, Inc. in 1996, although quarrying

operations had occurred on the site since at least the 1960s under mineral material sale permits. Scoping was initially done in 1999. The proposal has been listed on the Sawtooth National Forest Schedule of Proposed Actions since 1999. The proposal was again provided to the public and other agencies for comment during scoping in November 2002. In addition, as part of the public involvement process, the agency released a press release in November 2002 describing the proposed action. The proposal was sent to the public again in August 2003 for formal comment, to meet updated regulations governing Notice, Comment and Appeal procedures (36CFR215). As a result of the new regulations, a letter was sent to each previous commentator notifying them of the changed regulations and of the pending publication of the legal notice requesting comments. Within the 30-day comment period, substantive comments were received from the Utah Environmental Congress and non-substantive comments were received from the Utah Division of Environmental Quality, Division of Air Quality.

Using the comments from the public, and state and county agencies, the interdisciplinary team identified several issues regarding the effects of the proposed action. Main issues of concern included wildlife habitat, hydrologic and soil stability concerns, and livestock (see EA page 1-9 to 1-10). To address these concerns, the Forest Service created the alternatives described above.

Finding of No Significant Impact

After considering the environmental effects described in the EA, I have determined that these actions will not have a significant effect on the quality of the human environment considering the context and intensity of impacts (40 CFR 1508.27). Thus, an environmental impact statement will not be prepared. I base my finding on the following:

1. *Impacts that may be beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial.*
The analysis documented in the EA did not identify any individually or cumulatively significant adverse short or long-term impacts resulting from implementation of the Selected Alternative (see EA pages 3-1 to 3-27).
2. *The degree to which the proposed action affects public health or safety.*
There will be no significant effects on public health and safety, because standard safety provisions will be included in the plan of operations. (see EA page 2-6).
3. *Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.*
Known cultural sites will be protected (see EA page 3-23 to 3-26). The project will not affect park lands, prime farmland, wild and scenic rivers or ecologically critical areas because these land designations are not within the vicinity of the project. Wetlands are very limited in extent within the project area and are avoided by project design and mitigation (page 2-3 to 2-4 of the EA).
4. *The degree to which the effects on the quality of the human environment are likely to be highly controversial.*
A range of public comments both supporting and objecting to the proposed action were received throughout the development of this proposal. Although there is public

disagreement on the value and effects of the proposed alternative, the analysis did not indicate any effects that are highly controversial (see EA pages 3-1 to 3-27).

5. *The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.*

The effects on the human environment of mining are not highly uncertain and do not involve unique or unknown risks. Project design features and mitigation measures have been developed to ensure that adverse effects to the human environment are reduced or eliminated (see EA page 2-6).

6. *The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.*
The Selected Alternative will not set a precedent for future actions with significant effects. The Selected Alternative applies only to the Dove Creek Quarry analysis area and future proposed actions would be subject to site-specific analysis and implementation would hinge on that analysis.

7. *Whether the action is related to other actions with individually insignificant impacts but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.*
The Selected Alternative will not result in any significant cumulative effects (see EA pages 3-26 to 3-30).

8. *The degree to which the action may adversely affects districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural or historical resources.*
The action will have no significant adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places, because known heritage sites will avoided (see EA page 7). The Utah State Historic Preservation Office did not comment on the Archeologists determination (project record document).

9. *The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.*

The biological assessment prepared for this project describes findings for threatened and endangered species. A "no effect" call was made for all threatened and endangered species (project record document).

10. *Whether the action threatens a violation of Federal, State, or local laws or requirements imposed for the protection of the environment.*

The project is designed to meet all applicable Federal, State, and local laws.

Findings Required by Other Laws and Regulations

My decision is consistent with the intent of the Forest Plan's goals and objectives for Minerals and Geology listed on page III-48 of the Forest Plan. The project was designed in conformance with Forest Plan standards and incorporates appropriate Forest Plan guidelines.

Implementation Date

If no appeal is filed, implementation of this decision may begin on, but not before 5 business days following the close of the appeal-filing period. If an appeal is filed, implementation may occur on, but not before, the 15th business day following the date of appeal disposition.

Administrative Review or Appeal Opportunities

This decision is subject to appeal pursuant to 36 CFR 215. An appeal may be filed by those who have submitted substantive comments for this project during the comment period. To appeal this decision, a written Notice of Appeal must be postmarked or received within 45 calendar days after the date of notice of this decision in the Times-News newspaper, Twin Falls, Idaho. This publication date is the exclusive means for calculating the time to file an appeal. Those wishing to file an appeal should not rely upon dates provided by any other source.

The Notice of Appeal must be sent to the Appeal Deciding Officer:

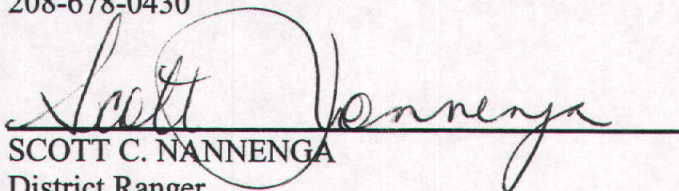
USDA - Forest Service
ATTN: Appeal Deciding Officer
324 25th Street
Ogden, UT 84401

The Notice of Appeal may alternatively be faxed to: USDA - Forest Service (801) 625-5277, ATTN: Appeal Deciding Officer; mailed electronically in a format (pdf, txt, rft, or document compatible with Microsoft Office applications) to: appeals-intermtn-regional-office@fs.fed.us; or hand delivered between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday except legal holidays at: Federal Building, 324 25th Street, Ogden, UT. Contents of an appeal must meet the requirements of 36 CFR 215.14.

Contact

For additional information concerning this decision or the Forest Service appeal process, contact:

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SCOTT C. NANNENGA
District Ranger
Minidoka Ranger District

11/4/05
Date

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